

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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would be able to allow someone to transfer either real estate or personal property or both as long as the value of the two was not in excess of \$25,000, which would mean essentially you could have a \$50,000 estate if it was optimally 25,000 real estate, 25,000 personal property, and allow the transfer of that. In my practice, it seemed to me that the people who were faced with this situation of having a spouse die, for example, were always the people who were least able to afford to negotiate a transfer of that property and the expense entailed with a probate proceeding, and that I have worked with the members of the Nebraska State Bar Association that are very interested in this form of practice. The Bar Association has endorsed this program, and I worked with the title companies. The title companies have approved the process that we have set forth in this affidavit, and there is an amendment that the committee has proposed. I will be glad to answer questions after the committee amendment.

SENATOR CROSBY: Thank you, Senator Pederson. Mr. Clerk.

ASSISTANT CLERK: Madam President, there are committee amendments attached.

SENATOR CROSBY: Senator Brashear, to open on the committee amendments.

SENATOR BRASHEAR: Madam Chair, members of the body, thank you. Senator Pederson has explained this bill. I will just briefly state that the committee amendment adds language that nothing in this section affects or prevents any proceeding to enforce any mortgage, pledge, or other lien upon the real property described in the affidavit. The amendment is there to clarify that the change in the methodology of the transfer of the real estate does not affect the status of the liens so it is of no import. This is consumer friendly, citizen oriented, procedural simplification at its best. I urge the adoption of the amendment and the advancement of the bill. Thank you.

SENATOR CROSBY: Thank you. You've heard the opening on the committee amendments. Any discussion? Seeing none, Senator Brashear. He waives closing on the committee amendments. The question is the adoption of the committee amendments to LB 100.